IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 7135 of 2007(Y)

PETITIONER:

V.K.SHAJAN, S/O.KRISHNANKUTTY,
VAILAPPILLIL HOUSE, THRIKKUR P.O.,
THRISSUR.

BY ADV. SRI.RENJITH THAMPAN

RESPONDENTS:
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1. SUPERINTENDENT OF POLICE, THRISSUR.

2. CIRCLE INSPECTOR OF POLICE,
OLLUR POLICE STATION, THRISSUR.

3. SUB INSPECTOR OF POLICE,
OLLUR POLICE STATION, THRISSUR.

4. GEOLOGIST, DISTRICT OFFICE,
DEPARTMENT OF MINING AND GEOLOGY,
THRISSUR.

5. BABU, S/O.RAVUNNY,
PUTHANPURAKKAL HOUSE, BUND ROAD,
PUTHUR P.O., THRISSUR.

6. RAJAN, S/O.RAVUNNY, DO. DO.

<u>ADDL.R7 AND R8:</u>

7. DISTRICT COLLECTOR, THRISSUR.

8. PUTHUR GRAMA PANCHAYAT,REP. BY SECRETARY,
PUTHUR P.O., THRISSUR.

ADDL.RESPONDENTS 7 AND 8 ARE IMPLEADED AS PER ORDER DATED 5.3.2007 IN I.A.NO.3441/2007.
BY GOVT.PLEADER SRI.P.A.SALIM
THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).7135/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE AGREEMENT DATED 1.2.2007 BETWEEN THE PETITIONER AND MEENAKSHI.

EXT.P2: COPY OF THE APPLICATION FILED BY THE PETITIONER DATED 9.2.2007 ALONG WITH THE DOCUMENTS ENCLOSED.

EXT.P3: COPY OF THE MINING PERMIT ISSUED BY THE GEOLOGIST DATED 21.2.2007.

EXT.P4: COPY OF THE CHELLAN RECEIPT EVIDENCING DEPOSIT OF MINING FEE DATED 21.2.2007.

EXT.P5: COPY OF NO OBJECTION CERTIFICATE ISSUED BY PUTHUR GRAMA PANCHAYAT DATED 22.2.2007.

EXT.P6: COPY OF THE COMPLAINT FILED BY THE PETITIONER DATED 24.2.2007.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.7135 OF 2007 (Y)

Dated this the 14th day of March, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection for removing clay as permitted by Ext.P3. Despite service of notice contesting respondents did not appear. Govt.Pleader submitted that permit is granted to the petitioner. In the above circumstances, in the absence of any prohibitory order, police is directed to grant adequate protection, provided, all conditions imposed by the statutory authorities are complied by the petitioner. If any person has got any objection, he can approach civil court or statutory authorities for getting prohibitory orders. With the above observations this writ petition is disposed of.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007